



FLORIDA DEPARTMENT OF Environmental Protection

Southwest District
13051 North Telecom Parkway, Suite 101
Temple Terrace, FL 33637-0926

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

November 23, 2021

Marissa Alexander, Solid Waste and Recycling Manager
Hardee County Solid Waste Department
685 Airport Road
Wauchula, FL 33873
Marissa.Alexander@hardeecounty.net

Re: Warning Letter #WL21-166SW25SWD
Hardee County Regional Landfill
WACS ID: 40612
Hardee County

Dear Ms. Alexander:

A compliance inspection was conducted at your facility on October 8, 2021. During this inspection, possible violations of chapter 403, Florida Statutes, and chapter 62-701, Florida Administrative Code were observed.

During the inspection, personnel from the Florida Department of Environmental Protection (Department) noted the following (please see attached inspection report for additional information):

- The current filling operations do not conform with the authorized sequence of fill.
- The slopes within the working face and in adjacent areas are not compacted to a 3:1 slope.
- The initial cover within and near the working face is inadequate.
- The intermediate cover on Phase I is inadequate.
- The current litter policing methods are insufficient.
- The leachate collection system is not functioning or operating as designed.
- Leachate seeps were observed within the landfill.
- Ponding of leachate was observed within the landfill.
- The mixing of stormwater and leachate is not minimized or prevented.
- Small amounts of unacceptable wastes, including waste tires, were in the active disposal area.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to sections 403.121, 403.141 and 403.161, Florida Statutes.

Please contact Steven Tafuni at 813-470-5792, or via email at Steven.Tafuni@floridadep.gov, within **7 days** of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,



Kelley M. Boatwright
Southwest District Director
Florida Department of Environmental Protection

cc: Steven Tafuni, DEP Southwest District, Steven.Tafuni@floridadep.gov
Pamala Vazquez, DEP Southwest District, Pamala.Vazquez@floridadep.gov
Abigail McAleer, DEP Southwest District, Abigail.McAleer@floridadep.gov



**Florida Department of
Environmental Protection
Inspection Checklist**

FACILITY INFORMATION:

Facility Name: HARDEE COUNTY REGIONAL LANDFILL
On-site Inspection Start Date: 10/08/2021
On-site Inspection End Date: 10/08/2021
WACS No.: 40612
Facility Street Address: 685 AIRPORT ROAD
City: WAUCHULA
County Name: HARDEE
Zip: 33873

INSPECTION PARTICIPANTS:

(Include ALL Landfill and Department Personnel with Corresponding Titles)

Principal Inspector: Alexis R Black, Inspector

Other Participants: Abigail McAleer, Environmental Specialist I; Marissa Alexander, Solid Waste Manager;

INSPECTION TYPE:

Routine Operation Inspection for Landfill - Class I

Routine Operation Inspection for Other - Waste Tire Collection Center

ATTACHMENTS TO THE INSPECTION CHECKLIST:

This Cover Page to the Inspection Checklist may include any or all of the following attachments as appropriate.

Note: Checklist items with shaded boxes are for informational purposes only.

1.0 - SECTION 1.0 - FILE REVIEW

2.0 - SECTION 2.0 - LANDFILL OPERATION AND MAINTENANCE

9.0 - SECTION 9.0 - WASTE TIRE FACILITIES

Inspection Date: 10/08/2021

1.0 - SECTION 1.0 - FILE REVIEW**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	FILE REVIEW (Pre- or Post-Inspection, as appropriate.)	Ok	Not Ok	Unk	N/A
1.1	For landfills and C&D disposal facilities, does the facility have a current plan for the method and sequence of filling wastes? 62-701.500(2)(f) for landfills; 62-701.730(7)(a) for C&D debris sites	✓			
1.2	For landfills, are the following records being reported to the Department?(Check any that are Not OK) <input type="checkbox"/> Waste reports (annually) 62-701.500(4) <input type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)	✓			
1.3	Is gas monitoring being performed as required by the permit? 62-701.500(9), 62-701.530(2)	✓			
1.4	Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)(c)	✓			
1.5	Is water quality sampling and testing performed according to standard procedures and at the required frequencies? 62-701.510(2) for landfills; 62-701.730(8) and 62-701.730(10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.	✓			
1.6	Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) and (4); 62-701.730(4)(c) and (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.			✓	
1.7	For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.600(6)(b), 62-701.730(9)(e)				✓
1.8	Is financial assurance adequate? 62-701.630 for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.	✓			
1.9	Are cost estimates current and adjusted every year? 62-701.630(4) for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(b) and 62-713.600(6)(c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.	✓			
1.10	For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by February 1st of each year? 62-701.730(12)				✓
1.11	For C&D recycling facilities with no disposal, is an Annual Report for the recycling facility submitted to the Department by February 1st of each year? 62-701.710(8)(b)				✓
1.12	For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.13	For compost facilities, has the annual report been submitted by June 1st? 62-709.530(3)				✓

HARDEE COUNTY REGIONAL LANDFILL

Inspection Date: 10/08/2021

2.0 - SECTION 2.0 - LANDFILL OPERATION AND MAINTENANCE

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18))	Ok	Not Ok	Unk	N/A
2.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility. 62-701.300(1)(a)		✓		
2.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
2.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?	✓			
2.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event.) 62-701.300(2)(d)	✓			
2.4	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)	✓			
2.5	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
2.6	Are the following unauthorized wastes or special wastes properly controlled, managed and disposed? (Check any that are Not OK) <input type="checkbox"/> Hazardous waste 62-701.300(4) <input type="checkbox"/> Biomedical waste 62-701.300(6) <input type="checkbox"/> Yard trash 62-701.300(8)(c) <input type="checkbox"/> Whole waste tires 62-701.300(8)(e) <input type="checkbox"/> Regulated asbestos waste 62-701.520(3), 62-701.730(19) <input type="checkbox"/> Used oil and oily wastes, except as exempted 62-701.300(11) <input type="checkbox"/> PCB wastes 62-701.300(5) <input type="checkbox"/> Lead-acid batteries 62-701.300(8)(a) <input type="checkbox"/> White goods 62-701.300(8)(d) <input type="checkbox"/> Liquids 62-701.300(10) <input type="checkbox"/> CCA treated wood 62-701.300(14) <input type="checkbox"/> Biological waste - Disposal of dead animals due to disease 62-701.520(5)(a) <input type="checkbox"/> Biological waste - Disposal of dead poultry and hatchery residue 62-701.520(5)(b) <input type="checkbox"/> Biological waste - Disposal of captive wildlife, fish or marine mammals, and domestic animals that have not died due to disease 62-701.520(5)(c)	✓			
2.7	Are only permitted waste types disposed at facility? 62-701.340(2), 62-701.500(6)(a), 62-701.500(2)(c)	✓			
2.6.5	Recommended guidance for Item 2.6 above. Facility was provided a copy of the Department's Disposal of Deceased Domestic Animals Guidance Document dated November 9, 2018. (Note: The Guidance Document is to provide direction regarding the disposal of deceased domestic animals pursuant to Chapter 62-701.520(5), F.A.C. and Chapter 823.041, F.S.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A				

HARDEE COUNTY REGIONAL LANDFILL

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Item No.	LANDFILL OPERATION AND MAINTENANCE	Ok	Not Ok	Unk	N/A
2.8	Is there a trained operator on-site at Class I and III landfills when receiving wastes? 62-701.500(1)	✓			
2.9	Is there at least one trained spotter at each working face when receiving wastes at Class I and III landfills? 62-701.500(1)	✓			
2.10	Are the following records or plans current and available on-site? (Check any that are Not OK) <input type="checkbox"/> Training Plan 62-701.320(15)(a) <input type="checkbox"/> Operating Plan 62-701.500(2) <input type="checkbox"/> Waste weight records 62-701.500(4) <input type="checkbox"/> Precipitation records 62-701.500(8)(g) <input type="checkbox"/> Load-checking program records 62-701.500(6)(a) <input type="checkbox"/> Training records 62-701.320(15)(a) <input type="checkbox"/> Operation record 62-701.500(3) <input type="checkbox"/> Quantity of leachate 62-701.500(8)(f)	✓			
2.11	Is the operation plan substantially followed? 62-701.500(2)		✓		
2.12	Is incoming waste weighed? 62-701.500(4)(a) and 62-701.500(2)(d)	✓			
2.13	Is the method and sequence of filling waste according to plans? 62-701.500(2)(f)		✓		
2.14	Is access properly controlled to prevent unauthorized waste disposal? 62-701.500(5)	✓			
2.15	Is waste compacted as required? 62-701.500(7)(a)	✓			
2.16	Are the working face and side slopes above ground graded to a slope no greater than 3 feet horizontal to 1 foot vertical rise? 62-701.500(7)(c)		✓		
2.17	Is a narrow working face practiced? 62-701.500(7)(d)	✓			
2.18	Is the frequency, amount and quality of initial cover, as required? 62-701.500(7)(e)		✓		
2.19	Is the frequency, amount and quality of intermediate cover, as required? 62-701.500(7)(f)		✓		
2.20	Is litter controlled and are litter control devices maintained? 62-701.500(7)(i) and 62-701.500(11)(f)		✓		
2.21	Is erosion control adequate? 62-701.500(7)(j)		✓		
2.22	Is the leachate collection and removal system maintained and operated as required? 62-701.500(2)(j), 62-701.500(8)(b) and 62-701.500(8)(h)		✓		
2.23	Is leachate disposed of or treated as required? 62-701.500(8)(b), 62-701.500(8)(c) and 62-701.500(8)(d)	✓			
2.24	If leachate recirculation is practiced at the facility, is it done in accordance with Department requirements and the Operation Plan? 62-701.400(5)	✓			
2.25	Is gas controlled to not cause objectionable odors beyond the property boundary? 62-701.530(3)(b)	✓			
2.26	Is gas controlled to not allow combustible gas concentrations to exceed specified limits? 62-701.530(3)(a)	✓			
2.27	Are gas vents intact and functioning properly? 62-701.500(9), 62-701.530(1)(a)3	✓			
2.28	Is mixing of leachate and stormwater prevented or minimized? 62-701.500(10), 62-701.400(9)(b)		✓		
2.29	Is stormwater management system maintained and operated as required? 62-701.500(10)	✓			
2.30	Is there sufficient operating equipment? 62-701.500(11)(a)	✓			
2.31	Is there sufficient reserve equipment (or other arrangements)? 62-701.500(11)(b)	✓			
2.32	Are communication facilities adequate? 62-701.500(11)(c)	✓			
2.33	Are approved dust control methods adequate? 62-701.500(11)(d)	✓			
2.34	Are fire protection and fire fighting capabilities adequate and operational? 62-	✓			

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Item No.	LANDFILL OPERATION AND MAINTENANCE	Ok	Not Ok	Unk	N/A
	701.500(11)(e)				
2.35	Are there required signs for operational directions and public information? 62-701.500(11)(g)	✓			
2.36	Are all-weather access roads and inside perimeter roads properly maintained? 62-701.500(12)	✓			
2.37	Are groundwater wells intact and properly maintained? 62-701.510(2)(b), 62-701.620(8)	✓			
2.38	Are all additional specific conditions (not otherwise addressed above) in the permit, Department order, or certification, if any, being followed? 62-701.320(1), 403.161, F.S.	✓			

HARDEE COUNTY REGIONAL LANDFILL

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9.0 - SECTION 9.0 - WASTE TIRE FACILITIES**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18))	Ok	Not Ok	Unk	N/A
9.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility? 62-701.300(1)(a)	✓			
9.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
9.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?	✓			
9.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event) 62-701.300(2)(d)	✓			
9.4	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)	✓			
9.5	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
Item No.	WASTE TIRE FACILITY - GENERAL REQUIREMENTS FOR STORAGE	Ok	Not Ok	Unk	N/A
9.6	If the facility accepts tires from the public, is a sign posted at the facility entrance stating operating hours, cost of disposal and site rules? 62-711.540(1)(a)	✓			
9.7	Are operations involving the use of open flames conducted no closer than 25 feet of a waste tire pile? 62-711.540(1)(b)	✓			
9.8	If the facility accepts tires from the public, is an attendant always present on site when the site is open for business? 62-711.540(1)(c)	✓			
9.9	Are fire protection services assured through notification to local fire protection authorities? 62-711.540(1)(d)	✓			
9.10	Is an annual fire safety survey conducted? 62-711.540(1)(d)	✓			
9.11	Is a copy of the annual fire safety report made part of the next quarterly report? 62-711.540(1)(d)	✓			
9.12	Does the facility have an Emergency Preparedness Manual (EPM) on-site? 62-711.540(1)(e)	✓			
9.13	Does the EPM contain the following information? (Check all that are Not OK) <input type="checkbox"/> Contact names and numbers 62-711.540(1)(e)1 <input type="checkbox"/> List of emergency response equipment and locations on-site 62-711.540(1)(e)2 <input type="checkbox"/> Procedures to be followed in the event of a fire 62-711.540(1)(e)3	✓			
9.14	Is the operator at the facility maintaining records of the quantity of waste tires received at the site, stored at the site, and shipped from the site? 62-711.540(1)(g) and 62-711.400(5)	✓			
9.15	If the operator of the site is not the owner of the property, has written authorization been obtained from the property owner to operate the facility? 62-711.540(1)(h)				✓
9.16	Is adequate communications equipment available at the site? 62-711.540(1)(i)	✓			
9.17	Is the owner or operator providing for control of mosquitoes and rodents so as to protect the public health and welfare? 62-711.540(1)(j)	✓			

HARDEE COUNTY REGIONAL LANDFILL

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Item No.	WASTE TIRE FACILITY - STORAGE INDOORS	Ok	Not Ok	Unk	N/A
9.18	Are waste tire piles more than 50 feet in width? 62-711.540(2)(a)				✓
9.19	Are waste tire piles along a wall more than 25 feet in width? 62-711.540(2)(a)				✓
9.20	Are widths of main aisles between piles less than 8 feet? 62-711.540(2)(b)				✓
9.21	Is there less than 3 feet of clearance between the top of storage to sprinkler detectors or roof structures? 62-711.540(2)(c)				✓
9.22	Is there less than 3 feet of clearance between waste tire piles and unit heaters, etc.? 62-711.540(2)(d)				✓
9.23	If waste tires are stored up to 15 feet high, do walls between adjacent warehouse areas and between manufacturing and warehouse areas have at least a four-hour fire rating? 62-711.540(2)(e)				✓
9.24	If waste tires are stored over 15 feet high, do walls between manufacturing and warehouse areas have a fire rating of not less than six hours and do steel columns have one-hour fireproofing? If the top of storage exceeds 20 feet in height, do columns and their connections with other structural members have two-hour fireproofing? 62-711.540(2)(f)				✓
9.25	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(2)(h)				✓
Item No.	WASTE TIRE FACILITY - STORAGE OUTDOORS	Ok	Not Ok	Unk	N/A
9.26	Is the waste tire site operated within 200 feet from a body of water? 62-711.540(3)(a)	✓			
9.27	Does the waste tire pile have a width less than 50 feet? 62-711.540(3)(b)	✓			
9.28	Does the waste tire pile have an area less than 10,000 sq. ft? 62-711.540(3)(b)	✓			
9.29	Does the waste tire pile have a height less than 15 feet? 62-711.540(3)(b)	✓			
9.30	Is there a 50 feet wide fire lane around the perimeter of the waste tire pile? 62-711.540(3)(c)	✓			
9.31	Is there unobstructed access to the fire lane? 62-711.540(3)(c)	✓			
9.32	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(3)(d)	✓			
9.33	Is the site kept free of grass, underbrush, and other potentially flammable vegetation? 62-711.540(3)(f)	✓			
9.34	Is the site bermed or given other adequate protection to prevent liquid runoff from entering water bodies? 62-711.540(3)(e)	✓			
9.35	Are residuals contained on-site and disposed of in a permitted solid waste management facility or properly recycled? 62-711.540(5)	✓			
9.36	Does the waste tire site qualify for the exceptions to the technical and operational standards as allowed by rule? 62-711.540(6)	✓			
Item No.	WASTE TIRE FACILITY - COLLECTION CENTER	Ok	Not Ok	Unk	N/A
9.37	Are no more than 1,500 tires at the collection center at any one time? 62-711.550(1)(a)	✓			
9.38	Are all waste tires, which are not used tires, removed from site yearly for recycling, processing, or disposal? 62-711.550(1)(b)	✓			

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Current Violations:

Rule: 62-701.500(7)(c)

Question Number: 2.16

Explanation: The working face and adjacent covered areas were not compacted to create 3:1 slopes as required by Specific Condition C.5.a. (Permit No. 38414-016-SO/01) and Section K.7.c of the facility's Operation Plan.

Corrective Action: Please provide documentation to the Department showing that the working face and all covered areas are sloped to 3:1 within 30 calendar days of the date listed on the Warning Letter.

Pre-existing Violations:

Rule: 62-701.500(2)

Question Number: 2.11

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

A) See all other Items noted within this report.

B) Per Sections K.8.b and K.8.f of the facility's Operation Plan, the facility will utilize a Monthly Leachate Water Balance Form to record the leachate quantities of the facility. At this time, the facility is not utilizing this form to record leachate generation.

Corrective Action: A) See all other Items noted within this report.

B) Please utilize the Monthly Leachate Water Balance Form to record the leachate quantities of the facility starting with the fourth quarter of 2021 (October-December 2021). This report is due to the Department by 1/15/2022.

Rule: 62-701.500(2)(f)

Question Number: 2.13

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

Per Condition C.5.c. of the facility's Permit (No. 38414-016-SO/01), the sequence of waste filling shall follow the sequence of fill plans provided in section K.2.f of the facility's Operation Plan.

A) Per section K.2.f of the facility's Operation Plan, documentation demonstrating that monthly surveys of the landfill to confirm and monitor waste filling elevations, slopes, and dimensions must be kept on-site and available for review upon the Department's request. Department personnel observed these records for past surveys, but not for recent surveys (e.g. September and October 2021).

B) The waste lifts within Fill Sequence 5 are detailed to be offset six feet and two inches from the edge of disposal, as depicted in the attachment entitled "Distance Between Edge & Lifts". During this inspection, a spacing was observed but this spacing is permitting the accumulation of leachate within the landfill. Thus, it appears that the waste filling practices within this area do not meet the requirements of the landfill's sequence and design plan.

C) The Sequence of Fill drawings included in the facility's Operation Plan denote that all waste filling activities must occur approximately 50 feet from the area

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dividing the North and South sections of Phase II Section II. At the time of the inspection, it was unclear if this was occurring as vegetative overgrowth has established within the unfilled cell.

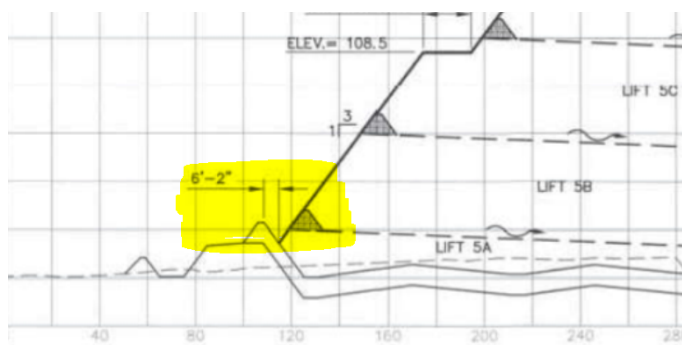
Corrective Action: A) Please provide the Department with the past three monthly surveys of the landfill to demonstrate compliance with the method and sequence of fill requirements outlined in the Operation Plan within 30 calendar days of the date listed on the attached Warning Letter.

B) Please provide documentation demonstrating that these areas of leachate accumulation are filled in with waste so as to meet the sequence and design requirements as detailed by the Fill Sequence 5 drawings contained within the facility's Operation Plan. Please provide this documentation to the Department within 30 calendar days of the date listed on the attached Warning Letter.

C) Please provide documentation within 30 calendar days of the date listed on the attached Warning Letter showing the vegetation from the unfilled North and South sections of Phase II Section II to ensure that this 50 foot distance between waste and the division is established.

Attachments:

Distance Between Edge & Lifts



Item A - June 2021 Survey

Item C - Vegetative Overgrowth



Rule: 62-701.500(7)(e)

Question Number: 2.18

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

Per Condition C.8.a. of the facility's Permit (No. 38414-016-SO/01) and Sections K.7.e. and K.7.f. of the Operation Plan, initial cover shall consist of six inches of

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compacted soil. Other approved types of initial cover include processed waste tires, mulch, and tarps. At the time of this inspection, Department staff observed waste flagging through the initial cover in most areas within and near the working face. In addition, waste located north of the working face appeared to be uncovered. It appeared that this waste may have washed out of the covered area through eroded areas in the past.

Corrective Action: Within 30 calendar days of the date listed on the Warning Letter, please provide the Department with photo documentation demonstrating that the areas adjacent to the working face have received the required depth of initial cover to cover exposed waste and to prevent waste flagging.

Attachments:

Top of Working Face - Flagging



North of Working Face - Flagging



North of WF - Exposed Waste



Rule: 62-701.500(7)(f)

Question Number: 2.19

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

The eastern and western sides of Phase I appeared to have insufficient intermediate cover in some areas due to ruts created by mowing and erosion. The grass vegetation also appeared to be lacking within these areas.

Corrective Action: Within 30 calendar days of the date listed on the Warning Letter, please provide the Department with photo documentation showing that all ruts, eroded areas, depressions, and subsidence filled and seeded. Please also provide photo documentation showing all areas lacking grass vegetation are seeded.

Attachments:

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Phase I - Mowing Ruts



Phase I - Lack of Vegetation



Phase I - Erosion and/or Ruts



Rule: 62-701.500(11)(f), 62-701.500(7)(i)

Question Number: 2.20

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

The Department acknowledges that there are litter control devices in place, like the orange fencing around the active area of the landfill. But, overall, litter management was not sufficient in multiple areas around the facility, including the areas around the working face in Phase II Section II and on the side slopes of Phase I.

Corrective Action: Please continue to follow the litter policing methods outlined in Sections K.7.j. and K.11.f. of the facility's Operation Plan. Within 30 calendar days of the date listed on the attached Warning Letter, please provide photo documentation demonstrating the facility to be free of litter in the areas around the working face and the side slopes of Phase I. It is also advised that additional litter fencing on top of the working face be installed to assist with litter management.

Attachments:

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Phase I Litter



Rule: 62-701.500(7)(k)

Question Number: 2.21

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

Please see Item 2.22, subitem A regarding this violation.

Corrective Action: Please see Item 2.22, subitem A regarding this violation.

Rule: 62-701.500(2)(j), 62-701.500(8)(b), 62-701.500(8)(h)

Question Number: 2.22

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

A) Multiple leachate seeps were observed within the active disposal area of the southern portion of Phase II Section II and from the lower portions of the western side slope of Phase I. The leachate appeared to flow downwards towards the center of this Phase's Section. Some of the seeps caused minor instances of erosion of the intermediate cover (Phase I) and initial cover (Phase II Section II). Although the leachate seep was contained within the lined landfill area of the facility, leachate seeps should not be occurring within the landfill.

B) Please see Item 2.13, subitem B for additional information. The leachate that is ponding within this area can be attributed to a leachate seep observed directly adjacent to the ponded area and recent rainfall. Ponded leachate was also observed directly adjacent to the working face during the inspection. Leachate should be percolating down to the leachate collection system. The exact reason as to why ponding exists in these areas is unknown, but it is believed that there could be a semi-impervious or impervious material preventing downward percolation.

C) In March 2021, the facility reported a discharge occurred from leachate tank #2 due to a failure of the tank inner wall. Since this discharge occurred, tank #2 has not been in service due to repairs or replacement of the tank being addressed by the County. The County indicated that leachate is being pumped from tank #1 between six to eight times per day to ensure that the system is managed correctly. However, without tank #2, the landfill is unable to function as designed. Therefore, during this inspection, the facility was not operating its leachate collection system as required by Specific Condition 12 of the facility's solid waste Permit No. 38414-016-SO/01.

D) Please see Item 2.13, subitem C for additional information. The northern

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section of Phase II Section II was entirely filled with leachate at the time of the inspection. The leachate within this area has existed since for many months and vegetation typical of stormwater management systems has established itself within this area.

Corrective Action: Please provide the Department with the following information and documentation within 30 calendar days of the date listed on the attached Warning Letter.

A) Please provide documentation showing that all leachate seeps within these areas of the facility are sealed and that all impacted cover is repaired. If the leachate seeps reestablish themselves, please notify the Department immediately upon observance of them and provide an action plan describing what actions the facility will take to address the seeps. In addition, it is advised that all areas to be landfilled be free of initial cover, intermediate cover, and entry/exit road materials during filling to ensure that leachate percolates down to the leachate collection system instead of percolating out of the landfill horizontally.

B) Please provide documentation showing that that all leachate ponded within the noted areas has been diverted to an area that will allow for percolation. Please also fill in the area noted by Item 2.13, subitem B in order to minimize the landfill's ability to store leachate within this area. Before filling of this area, it is recommended that the facility excavate this area and deposit a pervious material like sand to promote downward percolation of leachate in this area for the future.

C) Please provide the Department with information that shows what actions the County is and will be taking to make tank #2 operational again. This information shall include the contact information of a contractor to complete the tank repairs or replacement of tank #2 and a time schedule to complete this work. In addition, please provide an interior tank inspection report of tank #1 to provide reasonable assurance that tank #1 is in good condition and does not have the same issue(s) that caused tank #2 to fail.

D) Please provide documentation showing that the leachate from the northern section of Phase II Section II was removed by pumping directly into a truck for disposal offsite and that all of the vegetation that established itself within this area is disposed of. In addition, please provide information verifying the condition of the rain tarp within this Phase's Section and if leachate percolated or leaked into this Phase before it has been deemed operational.

Attachments:

B) 2020 Inspection - Ponding



A) Leachate Seep; B) 2021 Ponding



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A) Leachate Seep



A) Leachate Seeps



D) Leachate & Vegetation



B) Ponding



Rule: 62-701.400(9)(b), 62-701.500(10)

Question Number: 2.28

Explanation: This Item was also noted as a Violation during the facility's 2020 inspection.

Per Sections K.7.d. & K.7.g. of the facility's Operation Plan and Condition C.12.a of the facility's Permit (No. 38414-016-SO/01), a berm comprised of clean soil must always be placed around the working face to prevent the mixing of leachate and stormwater. At the time of the inspection, the berm that separates the active area from the north portion of Phase II Section II did not appear to adequately preventing the mixing of leachate and stormwater as no berm was observed and leachate has filled the northern section of Phase II Section II.

Corrective Action: Please provide documentation to the Department within 30 calendar days of the date listed on the attached Warning Letter demonstrating that the actions noted by Item 2.22, subitem D are completed and that a new berm comprised of clean soil separates the active area from the north portion of Phase II Section II. Please ensure that the required spacing between the working face and the north/south division of Phase II Section II is observed (see Item 2.13, subitem C).

Attachments:

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2020 - Collapsed Berm



2021 - No Berm Present



Current Areas of Concern:

Rule: 62-701.300(1)(a)

Question Number: 2.1.1

Explanation: At the time of the inspection, waste tires and an electric fan were observed within the disposal area.

Corrective Action: Please provide photo documentation showing that these wastes were removed from the disposal area within 30 days of the date listed on the attached Warning Letter.

Attachments:

Waste Tire



Waste Tires and Electric Fan



COMMENTS:

Item 1.5: During a review of the first semiannual 2021 groundwater monitoring report for this facility, the Department noted the following items below. Please ensure that all deficiencies noted below are rectified for the upcoming groundwater monitoring report, which is due 1/15/2022.

A) PZ-22 was noted to be damaged within the report. Please provide the Department with a time schedule and photo documentation regarding the PZ's repairs, respectively, within 30 days of the date listed on the attached Warning Letter.

B) Upon a review of these field logs, the following deficiencies were noted:

1) The well screen intervals were not originally provided on the field sampling logs provided with this report. On 9/2/2021, the facility's consultant provided updated field logs with these well screen intervals. Department staff verified if the correct purging methodology was utilized during sampling. It appears that the incorrect purging method was utilized for all wells sampled. For instance, MW-1's well screen

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interval was completely submerged, thus after purging one full well volume the second, third, etc. samples are collected every 1/4 well volume. This procedure was not followed as less than 1/4 well volume was collected for the samples following the first well volume purge.

2) Multiple wells were not stabilized for one or more stabilization parameters: MW-10R, MW-11, and MW-14.

C) The nitrate results for MW-2 and MW-4 were noted be tested outside of holding time. The report narrative and the lab report narrative did not provide an explanation for these exceedances. On 9/2/2021, the facility's consultant explained that these samples' arrival to the lab was delayed due to weather conditions during the sampling period. The lab provided the facility's consultant with the following comment, "the laboratory did not receive MW-2 and MW-4 samples in sufficient time to login, tag and begin the Nitrate analysis within 48 hours of collection. The "Q" flag is applied, but the data match historical records."

Item 1.6: This comment is for informational purposes only. Groundwater monitoring data was reviewed for groundwater standard exceedances, completeness, and quality assurance/quality control (QA/QC); however, a review of historical trending was not performed.

Item 1.8: The facility's 2021 financial assurance has yet to be assessed. The facility received an in-compliance letter for its 2020 financial assurance on August 6, 2021.

Item 1.9: The facility's 2021 inflation-adjusted cost estimates were received by the Department on August 26, 2021 and later approved on August 31, 2021.

Item 2.6.5: The facility was provided the guidance document described by this Item via email on October 11, 2021.

Items 2.8 & 2.9: At the time of the inspection, the individual managing the working face of the landfill was not certified as an operator and/or spotter as he has been employed by the facility for less than 90 days. Per Mrs. Alexander, this individual will be receiving their operator and/or spotter certification in the near future through Waste University. Please provide the Department with this individual's training certification upon completion of the required training courses.

Item 2.38: The secondary containment measure surrounding the used oil storage tanks within the HHWCC appears to be in need of repairs or replacement. Although discharges of used oil was not observed, the Department advises that these measures be updated to ensure that illicit discharges of used oil are prevented in the future.

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Signed:

Alexis R Black

Inspector

PRINCIPAL INSPECTOR NAME**PRINCIPAL INSPECTOR TITLE**

DEP

10/29/2021

PRINCIPAL INSPECTOR SIGNATURE**ORGANIZATION****DATE**

Abigail McAleer

Environmental Specialist I

INSPECTOR NAME**INSPECTOR TITLE**

NO SIGNATURE REQUIRED

DEP

INSPECTOR SIGNATURE**ORGANIZATION**

Marissa Alexander

Solid Waste Manager

REPRESENTATIVE NAME**REPRESENTATIVE TITLE**

NO SIGNATURE REQUIRED

Hardee County

REPRESENTATIVE SIGNATURE**ORGANIZATION**

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Not Ok" or areas of concern.

Report Approvers:**Approver:** Steve Tafuni**Inspection Approval Date:** 11/09/2021